

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Patricia A. Hays

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Dollar General Corporation

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**Complaint for Employment
Discrimination**

Case No. ~~28E-2018-01691C~~
(to be filled in by the Clerk's Office)

REQUEST FOR TRIAL BY JURY

Plaintiff requests trial by jury. ☒ Yes ☐ No

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Patricia A. Hays
Street Address 446 Louse Creek Highway, Lot 41
City and County Louse Creek, Osage
State and Zip Code MO, 65054
Telephone Number 660-342-0122
E-mail Address Hackersare horrible people@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Camille Villalobos
Dollar General Corporation
Job or Title Manager
(if known)
Street Address 193 Mill Lane
City and County Westphalia, Osage
State and Zip Code MO 65085
Telephone Number 573-485-2516
E-mail Address _____
(if known)

Defendant No. 2

Name Mary Jane Reed
Job or Title District Manager
(if known)
Street Address 193 Mill Lane
City and County Westphalia, Osage

RE: Patricia Hays vs. DOLLAR GENERAL
E-06/18-49571 28E-2018-01091C

#2
DOLLAR GENERAL
193 Mill Lane
Westphalia, MO 65085

#1
~~Meghan Blackwell, Paralegal, Labor and Employment~~
DOLLAR GENERAL CORPORATION
100 Mission Ridge
Goodlettsville, TN 37072

~~David J. Moen
ATTORNEY AT LAW
621 E. McCarty Street, Suite A
Jefferson City, MO 65101~~

State and Zip Code MO 65085
Telephone Number 573-455-2516
E-mail Address _____
(if known)

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name Dollar General Corp.
Street Address 193 Mill Lane
City and County Westphalia Osage
State and Zip Code MO 65085
Telephone Number 573-455-2516

II. Cause of Action

This action is brought for discrimination in employment pursuant to (check all that apply):

☐ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).
(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.
(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.
(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Other federal law (specify the federal law): Failure to follow public policy / wrongful discharge
- ☐ Missouri Human Rights Act, Missouri Revised Statute § 213.055
- ☐ Other state law (specify, if known): _____
- ☐ Relevant city or county law (specify, if known): _____

III. Administrative Procedures

- A. Did you file a charge of discrimination against Defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

☒ Yes Date filed: 6-11-2018
☐ No

Attach copy of the charge to this Complaint

- B. Have you received a Notice of Right-to-Sue Letter from the Equal Employment Opportunity Commission?

☒ Yes ☐ No

If yes, please attach a copy of the letter to this Complaint.

- C. Did you file a charge of discrimination against Defendant(s) with the Missouri Commission on Human Rights?

☒ Yes Date filed: 6-11-2018
☐ No

Attach copy of the charge to this Complaint

- D. Have you received a Notice of Right-to-Sue Letter from the Missouri Human Rights Commission?

☒ Yes ☐ No

If yes, please attach a copy of the letter to this Complaint.

E. If you are claiming **age discrimination**, check one of the following:

☒ 60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

☒ fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission

IV. Statement of Claim

A. The discriminatory conduct of which I complain in this action includes (*check all that apply*):

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☒ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☒ Harassment/Hostile Work Environment
- ☐ Other acts (*specify*): _____

(*Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.*)

B. It is my best recollection that the alleged discriminatory acts occurred on the following date(s):

March 3, 2018, February 27, 2018, & March 19, 2018

C. I believe that defendant(s) (*check one*):

- ☒ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

☐

race _____

☐

color _____

☐

gender/sex _____

☐

religion _____

☐

national origin _____

☒

age. My year of birth is 1962. (Give your year of birth only if you are asserting a claim of age discrimination.)

☒

disability or perceived disability (specify disability) in addition I have Schizoaffective disorder, rheumatoid arthritis

E. Write a short and plain statement of FACTS that support your claim. Do not make legal arguments. You must include the following information:

AREPA VIOLATION?

• What happened to you? ADA VIOLATION DISCRIMINATED AGAINST MY AGE/DISABILITY, WRONGFUL TERMINATION

• What injuries did you suffer? LOST BENEFITS, INCOME, PRIDE, DEPRESSION

• Who was involved in what happened to you?

• How were the defendants involved in what happened to you?

• Where did the events you have described take place?

• When did the events you have described take place?

JANUARY 2018 - TO CURRENT

If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

#1 EPA VIOLATION - DID NOT RECEIVE EQUAL PAY

#2 ADA VIOLATION - STATED I NEEDED

BREAKS AT FIRST JOB LOCATION, ALWAYS RECEIVED AT EVERY LOCATION TILL IN JAN 2018 WESTPHALIA, MO 65085 MANAGER TOOK AWAY STATED, "15 MINUTE BREAKS DIDN'T EXIST," MADE IT IMPOSSIBLE FOR ME TO WORK TO FULL POTENTIAL

#3 AGAINST MY AGE - NEEDED REST PERIODS TO TAKE MY MEDICATION, REST MY MIND, REST MY BODY WAS OLDEST EMPLOYEE WHEN FIRED, MADE NEGATIVE REMARKS ON MY JOB PERFORMANCE BUT WAS COMPARING ME TO 20 year old male AGAINST MY DISABILITY - MADE NEGATIVE COMMENTS ABOUT HOW I SWEATED. SWEATING WAS CAUSED BY MY MEDICATION I TAKE FOR MY DISABILITY, TOOK AWAY MY BREAKS BECAUSE THEY 'KNEW' I NEEDED THEM TO PERFORM & DO MY JOB RIGHT - THUS DISABLING ME EVEN MORE

#4, WRONGFUL TERMINATION - STATED VARIOUS REASONS WHY FIRED
1st - REASON - LOCKED DOOR 7 MINUTES EARLY

2nd DETAINED A SHOPLIFTER WHILE WAITING FOR DEPUTY TO ARRIVE

3rd - WRONGFUL CONDUCT

ALL Keyholders have LOCKED DOORS EARLY
1) STILL HAVE THEIR JOBS

2) I HAD CAUGHT MANY SHOPLIFTERS ALWAYS WAITED FOR POLICE TO ARRIVE - DEPUTY TOOK APPROXIMATELY 1 HOUR +

3) I NEVER HAD A COMPLAINT ABOUT MY CONDUCT - SHE JUST RAN OUT OF GOOD REASONS

#5) FAILURE TO FOLLOW PUBLIC POLICES, SCHEDULED ME 8-10 HOUR SHIFTS ALONE COULD NOT TAKE 15 MINUTE PAID BREAKS OR UNPAID LUNCH BREAKS AGAINST THE LAW + DOLLAR GENERAL CORPORATION'S POLICIES

V. Relief

As relief from the allegations of discrimination as stated above, Plaintiff prays that the court grant the following relief to Plaintiff: (check any and all that apply)

- ☐ Defendant be directed to employ Plaintiff
- ☒ Defendant be directed to re-employ Plaintiff
- ☒ Defendant be directed to promote Plaintiff
- ☒ Defendant be directed to reinstate lost benefits
- ☒ Monetary damages (please explain): \$2,000,000.00 APPROXIMATELY
- ☒ As additional relief to make Plaintiff whole, Plaintiff seeks (please specify and

explain):

REPLACE LOST WAGES, WAS TO BE
INTERVIEWED FOR MGMT. POSITION
THE NEXT WEEK, I'M OVERLY QUALIFIED

VI. Certification and Closing

BECAUSE OF MY DISABILITY STOPS ME
MY INABILITY TO COMPETE
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5-6, 2019

Signature of Plaintiff

Printed Name of Plaintiff

Patricia Hayes THE CHANGE TO TRY.